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December 4, 2007

### BY HAND

Honorable Victor Marrero  
Judge, United States District Court  
Southern District of New York  
500 Pearl Street - Room 660  
New York, NY 10007

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Re: Brava Investments Development Ltd. v.  
HSBC Bank USA N.A. - 07 CV 3205 (VM)

Dear Judge Marrero:

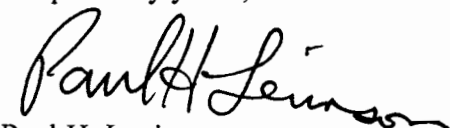
As counsel for Plaintiff, I am sending this letter as a joint communication with Meredith I. Friedman, Esq., Vice President-Senior Counsel of Defendant. In view of developments in the case, as discussed in detail below, we are writing to request an extension of sixty (60) days to complete fact discovery. As of now, the deposition deadline, as per the Scheduling Order in place, was November 30, 2007 and the cutoff for fact discovery is December 31, 2007. Document discovery is complete, and both parties will require non-party depositions.

The basis for our request is twofold. First, Plaintiff's witness, who resides in Argentina, is scheduled to be in New York in January 2008 and the parties agree it makes more sense to depose Plaintiff in January and avoid unnecessary travel expenses. Second, Your Honor has referred this matter to mediation on December 20, 2007. In view of the expense and inconvenience associated with Plaintiff's deposition and some contemplated third-party discovery, we believe that our focus should be on attempting to resolve the case before the mediator. If that effort proves unsuccessful in the first instance, we will then move quickly to conduct and complete the necessary depositions and third-party discovery, and, if the mediator deems it appropriate, to resume the mediation after the conclusion of discovery.

We thank the Court for its consideration in this matter. If Your Honor deems it appropriate, we are available for an in-person or telephonic conference.

Request GRANTED. The time for completion of fact discovery herein is extended to 12-29-08.	
SO ORDERED:	
12-6-07	
DATE	VICTOR MARRERO, U.S.D.J.

Respectfully yours,

  
Paul H. Levinson